

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF IOWA

IN THE MATTER OF THE APPLICATION )

FOR LICENSURE OF )

VIJAYKUMAR RAO BOINAPALLY, )

APPLICANT. )

**NOTICE OF LICENSE  
DENIAL**

**YOU ARE HEREBY NOTIFIED** that the Iowa Board of Medical Examiners ("Board") has voted, pursuant to Iowa Code section 147.4 (1999) and 653 Iowa Administrative Code 11.2(5)(b), to deny your application for a permanent license to practice medicine in the state of Iowa:

1. Iowa Code section 147.4 provides that the board "may refuse to grant a license to practice a profession to any person otherwise qualified upon any of the grounds for which a license may be revoked or suspended." The Board has information that you have engaged in practices which constitute grounds for which a license to practice medicine may be suspended or revoked.

2. The Board may suspend or revoke a license if a licensee is guilty of the following:

- (1) Professional incompetency. Iowa Code section 147.55(2).
- (2) Being guilty of a willful or repeated departure from, or the failure to conform to, the minimal standard of acceptable and prevailing practice of medicine and surgery, . . . in which proceeding actual injury to the patient need not be established[.] Iowa Code section 148.6(2)(g).

- (3) Professional incompetency. Professional incompetency includes but is not limited to:
- a. A substantial lack of knowledge or ability to discharge professional obligations within the scope of the physician or surgeon's practice;
  - b. A substantial deviation by the physician from the standards of learning or skill ordinarily possessed and applied by other physicians or surgeons in the state of Iowa acting in the same or similar circumstances;
  - c. A failure by a physician or surgeon to exercise in a substantial respect that degree of care which is ordinarily exercised by the average physician or surgeon in the state of Iowa acting in the same or similar circumstances;
  - d. A willful or repeated departure from or the failure to conform to the minimal standard of acceptable and prevailing practice of medicine and surgery, . . . in the state of Iowa.

653 IAC 12.4(2).

3. The Board has information that you willfully or repeatedly violated Iowa Code sections 147.55(2) and 148.6(2)(g) and 653 IAC 12.4(2).
4. Specifically, you were terminated from the SUNY Buffalo Internal Medicine Residency Program in December of 1995. You were also released from the University of Tennessee Anesthesiology Residency Program on October 26, 1998, due to "[c]onsistently poor academic and clinical performance resulting in endangerment to patient safety[.]" This program noted repeated instances of the following conduct: action or inaction leading to patient safety issues; inability to recognize performance deficiencies; failure to apply corrective instruction from the faculty; failure to learn from mistakes; failure to follow specific instructions and lack of dependability in application of formulated anesthetic plans; and inability to perform within the framework of an

anesthesia care team. The program also documented several patient care incidents in which you endangered patient safety.

**YOU ARE FURTHER NOTIFIED** you may appeal the Board's denial of licensure by serving a notice of appeal and request for hearing on the Board's Executive Director, Ann Mowery, within thirty (30) days from the date of the mailing of this Notice. 653 IAC 11.34. If you request a hearing, the hearing shall be held pursuant to the procedures outlined at 653 Iowa Administrative Code chapter 12.

Dale Holdiman MD  
Dale Holdiman, M.D., Chairperson  
Iowa Board of Medical Examiners  
Executive Hills West  
1209 East Court  
Des Moines, IA 50319

August 26, 1999